

MINUTES of the Regular Meeting of the
City Council of the City of Rye held in the Square
House and City Hall on May 3, 2000 at 8:00 P.M.

PRESENT:

STEVEN OTIS, Mayor
CAROLYN CUNNINGHAM
ROBERTA DOWNING
ROBERT H. HUTCHINGS
ROSAMOND LARR
DOUGLAS MCKEAN
ARTHUR STAMPLEMAN
Councilmen

ABSENT: NONE

Mayor Otis welcomed everyone to the annual traditional meeting, acknowledging members of the Boards and Commission, past officials, and city staff. The Mayor made the following comments:

“We gather here today in what is more than a symbolic tradition. We gather to celebrate the link we all share as volunteers and our link in purpose together with the city staff. We honor the way our community has carefully evolved over the decades and all the hard work that has made that possible. Part of this annual meeting is to honor those who have served before us and to recognize the care that went into the planning of our town. While we hold this special meeting once a year, I can say on behalf of the entire city council that we think about your contribution every day.”

Mayor Otis invited the audience to join the council in the Pledge of Allegiance.

2. Roll Call

Mayor Otis called the meeting to order; a quorum was present to conduct official city business.

Mrs. Phyllis Dillon, director of the Rye Historical Society, welcomed everyone and said that this annual meeting revitalizes the Square House. The Historical Society is in the museum business and is proud to preserve memorabilia of those who were born and died in the City of Rye.

Mayor Otis introduced Interim City Manager Christopher Bradbury, who in turn, introduced the following members of his staff:

Vincent Ballantoni
Alice K. Conrad

Ist Assistant Fire Chief
City Clerk

Chantal Detlefs	City Naturalist
James Detlefs	Department of Public Works
Michael Genito	City Comptroller
James Kenny	RCTV Coordinator
Michael Larkin	Police Officer
Marilyn Maselli	Deputy City Clerk
George Mottarella	City Engineer
J. Henry Neale, Jr.	Corporation Counsel
William Rodriguez	Superintendent of Recreation
Walter Roode	Fire Chief
Jeffrey Stonehill	Administrative Assistant
Vincenzo Tamburro	Building Inspector
Noreen Whitty	City Assessor
John Wickham	2 nd Assistant Fire Chief
Fred Zepf	City Planner

The Mayor expressed his appreciation to the staff members for their leadership and professionalism. He praised Mr. Christopher Bradbury for his commitment to the excellence of the organization and thanked him for his diligent work as the interim city manager.

The Mayor announced that after an extensive search process, the City Council has appointed Mrs. Julia Novak as the new City Manager. She will assume her responsibilities in June. Mrs. Novak is the Deputy City Manager of Rockville, Maryland and held the position of Assistant Town Manager of Lexington, Massachusetts.

Mrs. Novak said she is honored to be part of the tradition of this annual Square House meeting and expressed her appreciation for the warm welcome she has received from everyone.

Each council member remarked that they were impressed with the procedure for selecting a city manager. They extended best wishes for Mrs. Novak's success in her new position.

The Mayor welcomed and introduced the following:

Westchester County Legislator George Latimer
Former Mayor John Carey
Former Mayor Edmund Grainger, Jr.
Former Mayor Warren Ross
Former Councilman James Flick

County Legislator Latimer said he is impressed by the outstanding contribution of previous mayors and council members. When he retires from government services, he will always be proud that he is a part of this great community.

Former Mayor Edmund Grainger, Jr. paid tribute to former Mayor Clay Johnson. Mr. Grainger noted that Mr. Johnson was instrumental in having Mr. J. Motley Morehead donate funds for the construction of City Hall. Mr. Morehead also played an important part in the acquisition of the Rye Golf Club, as well as establishing the Rye Historical Society. Mr. Grainger encouraged the council not to forget Mr. Johnson's great contributions to the City of Rye.

Former Mayor John Carey reminisced about the early days of the city when the Council members were the department heads and the mayor, the supervisor. He said it is a privilege to be a public servant.

Former Mayor Warren Ross praised the April Rye Record article about the City Clerk. He also said in that same edition, there was an article about Dr. Tien Chang who regularly picks up litter along the Boston Post Road. Mr. Ross encouraged the council to re-institute "Adopt a Street" program to maintain and preserve the beauty of Rye.

Councilwoman Larr expressed former Mayor Dunn's regrets that he was unable to attend this meeting because of his son's wedding. He sent his good wishes to all.

Former Councilman James Flick welcomed the new city manager and said she has now joined a great family - the City of Rye.

Mayor Otis welcomed and introduced the following members of Boards, Commissions, and Committees:

Richard Propper	chairman, Commission on Human Rights
Nancy Steed	member, Commission on Human Rights
C. Nicholas Hodnett	chairman, Conservation Commission/Advisory Council
Nancy Stampleman	member, Landmarks Advisory Committee
Joseph Murphy	member, Conservation Commission/Advisory Council
Kara Murphy	member, Conservation Commission/Advisory Council
Bart DiNardo	member, Recreation Commission

Comments from the members of the boards, commissions, and committees included:

- praise and appreciation for the volunteerism of the council and members of the boards, commissions, and committees,
- the challenge of the fire houses renovations and the implementation of the recreation master plan,
- an invitation to attend Strawberry Sunday sponsored by the Rye Nature Center,
- Rye's commitment to preserve historic landmarks, and
- congratulatory remarks on the 80th anniversary of the American Legion - Post 128.

The Mayor said it is wonderful to have a special meeting to honor and appreciate the contributions of our predecessors.

The meeting adjourned to City Hall and reconvened at 8:30 P.M.

3. Presentation of the Government Finance Officers Association's Award of Financial Reporting Achievement for 1998 to the City Comptroller

Mayor Otis presented the Certificate of Excellence in Financial Reporting from the Government Finance Officer's Association to City Comptroller Michael Genito.

The Mayor recognized and praised Mr. Genito for being awarded the Government Finance Officers Association's Award of Financial Reporting Achievement for 1998. The Mayor stated that the city is financially sound as evidenced by our Aaa Bond Rating.

Mr. Genito expressed his appreciation to everyone involved in city finances. He acknowledged the support of the Interim City Manager, City Council, and the finance department staff.

4. Residents may be heard who have matters to discuss that do not appear on the agenda

There were no residents wishing to address the council on matters that did not appear on the agenda.

5. Discussion of parking on Hillcrest Lane

Mayor Otis referred to the April 24, 2000 letter from Chairman Salvatore Samperi of the Traffic and Transportation Committee, expressing his recommendations for the parking situation on Hillcrest Lane.

The Mayor summarized the history of parking problems on Hillcrest Lane which had been referred to the Traffic and Transportation Committee. The Committee recommended deferring action until the joint traffic study of the City of Rye and the Board of Education is completed.

Mayor Otis said that parking restrictions might provide some relief for the residents until the end of the school year. The Mayor also noted that Interim City Manager Christopher J. Bradbury suggested installing signs similar to those on Cowles Avenue.

Mr. Harold Zalkind, 20 Hillcrest Lane, requested that a limited parking sign be posted on Hillcrest Lane. Since high school students have been parking their cars on this street, he has difficulty backing out of his driveway. He expressed deep concern about the possibility of having an accident and liability ramifications.

Mr. Zalkind also initiated a brief discussion on section 191-13, seasonal parking restrictions.

Mayor Otis made a motion, seconded by Councilwoman Larr to establish a one hour parking limit from 7:00 A.M. to 6:00 P.M. on both sides of Hillcrest Lane.

ROLL CALL:

AYES: Mayor Otis, Councilmen Cunningham, Downing,
Hutchings, Larr, McKean, and Stampleman

NAYS: None

ABSENT: None

The motion carried.

The Mayor concluded by saying there will be further research for a comprehensive solution to this problem.

6. Discussion of the city's policies regarding motor vehicle arrests

Mayor Otis referenced the April 27, 2000 memorandum from Interim City Manager Bradbury and the Mayor's April 28, 2000 memorandum on the police department arrest procedures for certain violations.

The Mayor said that the question before the council is whether or not to amend the City of Rye's policy for violations under the sections 511.1, 511.2, 511.3 and 512 of New York State Vehicle and Traffic Law.

Councilwoman Downing suggested postponing discussion on this issue. She expressed concern that the council needed input from the Corporation Counsel about the legal ramifications of amendments to these sections. She recommended having a council working session.

Mayor Otis said discussing this topic now does not preclude having a working session.

Police Officer Michael Larkin, Vice President of the Rye Police Association, opposed any changes to the Police Department's arrest policy. He made the following comments:

- Violators are notified by Department of Motor Vehicles of a suspension or expiration of registration and/or driver's license.
- Arrest procedures are simple and respectful.
- If the aforementioned sections are amended, it may open the city to liability.
- There have been very few complaints about the arrest procedure.
- Police attend in-service training on being sensitive during an arrest situation.

A council discussion focused on:

- review of the City of Rye's police arrest procedures,
- comparison of the City of Rye's procedures with other municipalities,
- violations of Vehicle and Traffic Law, namely sections 511.1, 511.2, 511.3 and 512,
- distinction between violations involving the vehicle and violations of the driver,
- the difference between a misdemeanor and a felony,
- legal implications of releasing a driver without a car or other means of transportation,
- fair and consistent procedures for violators, and
- arrest versus issuance of a uniform traffic ticket.

It was decided that a working session would be valuable to clarify questions and gather more information. A working session was scheduled for 7:30 P.M. prior to the council's May 17th meeting.

There was no council action on this matter.

7. Approval of proposed revisions to Police Manual General Order #102.7, Marine Unit; General Order #103.2, Legislative Restrictions/Off Duty Employment; General Order #113.2, Polygraph Examination, and General Order #117.1, Fiscal Responsibility

Mayor Otis acknowledged the revised Police Manual General Order #102.7, Marine Unit, General Order #103.2, Legislative Restrictions/Off Duty Employment; General Order #113.2, Polygraph Examination, and General Order #117.1, Fiscal Responsibility.

Councilman Stampleman made a motion, seconded by Councilwoman Larr and unanimously carried, to approve the revisions to Police Manual General Order #103.2, Legislative Restrictions/Off Duty Employment, General Order #113.2, Polygraph Examination, and General Order #117.1, Fiscal Responsibility.

8. Approval of the election of the Fire Chief, 1st Assistant Fire Chief and 2nd Assistant Fire Chief

Mayor Otis acknowledged the April 6, 2000 memorandum from Chief Walter Roode of the Rye Fire Department advising of his election as Chief, Vincent Ballantoni as 1st Assistant Chief, and John M. Wickham, as 2nd Assistant Chief.

Councilwoman Cunningham made a motion, seconded by Councilwoman Downing and unanimously carried, to approve the election of Walter Roode, Chief, Vincent Ballantoni, 1st Assistant Chief, and John M. Wickham, 2nd Assistant Chief.

9. Consideration of request from the Traffic and Transportation Committee for the city to sponsor a Bicycle Rodeo to be held Sunday, May 21, 2000

Councilman McKean made a motion, seconded by Councilwoman Cunningham and unanimously carried, to approve the request of the Traffic and Transportation Committee to sponsor a Bicycle Rodeo to be held Sunday, May 21, 2000.

10. Consideration of Request from the Co-Chairs of Festival 'Round the Green for permission to use the Village Green, the surrounding area, and City Hall for the 2000 Festival on Saturday, September 23, 2000 and to use the City Council Chambers in case of rain

Councilwoman Downing made a motion, seconded by Councilwoman Cunningham and unanimously carried, to approve the request from the co-chairs of Festival 'Round the Green for permission to use the Village Green, the surrounding area, and City Hall for the 2000 Festival on Saturday, September 23, 2000 and to use the City Council Chambers in case of rain. This approval is conditioned upon discussing the location of platform with the committee's chairperson.

11. Consideration of request to use City streets and the City Hall parking lot on Sunday, September 17, 2000 for the Boston ➡ New York AIDS Ride ⑥

Councilman Stampleman made a motion, seconded by Councilwoman Cunningham and unanimously carried, to approve the request of the Boston ➡ New York Aids Ride ⑥ to use city streets and the City Hall parking lot as a rest stop area for their ride on Sunday, September 17, 2000.

12. One Appointment to the Board of Assessment Review to fill the unexpired term ending September 30, 2003, by the Council

Councilwoman Larr made a motion, seconded by Councilwoman Downing and unanimously carried, to appoint Mr. Mark Gardner to the Board of Assessment Review to fill the unexpired term ending September 30, 2003.

13. Bids for Boston Post Road Retaining Wall

Mayor Otis referenced the April 17, 2000 memorandum from City Engineer George J. Mottarella.

Interim City Manager Christopher J. Bradbury recommended tabling the award of contract #0002 to allow time to discuss the texture and surface of this retaining wall with the apparent lowest bidder.

A brief discussion ensued on the use of colored concrete or acid stain to simulate a stone wall, and the configuration of the wall to address safety which were concerns raised by Councilman McKean. It was decided to request City Engineer Mottarella to explore safety concerns.

This agenda item was deferred until the next council meeting.

14. Draft unapproved minutes of the special meeting of the City Council held March 29, 2000, the regular meeting of the City Council held April 5, 2000, and the special meeting held April 8, 2000

Councilwoman Cunningham made a motion, seconded by Councilman Stampleman and unanimously carried, to approve the minutes of the special meeting of the City Council held March 29, 2000, as amended.

Councilman McKean made a motion, seconded by Councilman Stampleman and unanimously carried, to approve the minutes of the regular meeting of the City Council held April 5, 2000, as submitted.

Councilwoman Cunningham made a motion, seconded by Councilwoman Larr and unanimously carried, to approve the minutes of the special meeting of the City Council held April 8, 2000, as submitted.

15. Miscellaneous communications and reports

A. Councilman Hutchings announced that the Federal Communications Commission is offering low-power FM radio licenses to municipalities. This would enable broadcasters to transmit within 3-1/2 miles which is far smaller than the territory reached by some commercial radio stations. In the future, there may be the ability to transmit within 1-1/2 miles. He noted that the Rye Cable Television Committee supports this idea.

Mr. Jeffrey Stonehill, administrative assistant, informed the council that Mr. James Kenny, RCTV coordinator, presented an informational packet to the Cable Committee. Members of this committee consider this as a great mechanism to disseminate public information to the citizens. This information will be forwarded to the council in this Friday's packet.

Councilman Hutchings explained that applicants proposing the use of a FM channel will file their applications during "filing window" periods allowing them 30 days to make an application. Awards of the licenses will be done by lottery.

B. Councilwoman Cunningham stated that she had attended a Rye Golf Club Commission meeting regarding Whitby Castle. She expressed concern about the miscalculation of pool parking spaces at the Rye Golf Club. The Rye Golf Club Commission had a lengthy discussion on the decrease in the proposed number of spaces and possible solution. A representative from Peter Gisolfi Associates suggested creating an entrance at the far end of the pool. Rye Golf Club Commission members have also requested speed humps.

Councilman McKean urged the council to investigate if the miscalculation of parking spaces was a surveying error.

16. Old Business

There was no old business discussed.

17. New Business

A. Councilwoman Downing apprised the council that she has received a phone call about pools of water and concern about mosquitos at the Rye Nature Center. Interim City Manager Bradbury clarified that these pools of water were not in the natural pond area.

B. Mayor Otis informed the council that he attended a meeting on the comprehensive plan for Rye Brook. He indicated that in developing its comprehensive plan, Rye Brook is experiencing similar concerns such as, traffic and recreation issues. The Mayor spoke about mutual efforts in regard to Blind Brook and sharing our information from Harza Engineering Company for the Project Impact Technical Study. He will circulate copies of a survey that he received at the meeting to the council and the Planning Commission.

C. Mayor Otis reiterated for the television viewing audience, his announcement that the City of Rye has selected a new city manager.

D. Councilman Stampleman announced that the West Point Band Concert is scheduled for May 21, 2000.

E. Councilwoman Larr questioned whether or not the portion of land owned by Home Depot U.S.A., Inc. and located in the City of Rye, is presently on our tax rolls. The City Comptroller stated he will research and report to the Interim City Manager.

18. Adjournment

Councilman McKean made a motion, seconded by Councilman Stampleman, to adjourn into executive session to discuss Home Depot and a personnel matter at 10:15 P.M.

The Council reconvened at 11:00 P.M.

There being no further business to discuss, Councilwoman Downing made a motion, seconded by Councilman McKean and unanimously carried, to adjourn the meeting at 11:05 P.M.

Respectfully submitted,

Alice K. Conrad
City Clerk